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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LAWTIS DONALD RHODEN,

Plaintiff - Appellant,

v.

STEPHEN W. MAYBERG; et al.,

Defendants - Appellees.

No. 14-15523

D.C. No. 1:06-cv-01801-BLW-  
LMB

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
B. Lynn Winmill, District Judge, Presiding\*\*

Submitted June 22, 2015\*\*\*

Before: HAWKINS, GRABER, and W. FLETCHER, Circuit Judges.

Lawtis Donald Rhoden, a civil detainee at Coalinga State Hospital, appeals pro se from the district court's order denying his Fed. R. Civ. P. 60(b) motion in

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\* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

\*\* The Honorable B. Lynn Winmill, Chief United States District Judge for the District of Idaho, sitting by designation.

\*\*\* The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

his 42 U.S.C. § 1983 action alleging constitutional violations in connection with the regulation of his personal computer. We have jurisdiction under 28 U.S.C.

§ 1291. We review for an abuse of discretion, *Sch. Dist. No. 1J, Multnomah Cnty., Or. v. ACandS, Inc.*, 5 F.3d 1255, 1262 (9th Cir. 1993), and we affirm.

The district court did not abuse its discretion in denying Rhoden's motion for reconsideration because Rhoden failed to demonstrate any grounds for relief. *See id.* at 1263 (grounds for reconsideration under Fed. R. Civ. P. 60(b)).

We do not consider Rhoden's challenge to the underlying dismissal or pre-trial motions because Rhoden failed to appeal the judgment against him in a timely manner. *See* Fed. R. App. P. 4(a)(1)(A).

**AFFIRMED.**